

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.**

**WRIT PETITION NO.3459 OF 2005
along with Civil Application No.3769 of 2005**

Domnic Wadi Tenants Welfare
Association & Anr. .. Petitioners

Vs

The Special Land Acquisition
Officer (1),
Bombay & Bombay Suburban District
& Anr.. .. Respondents

Mr J.S.Anand with Mrs Sunita Donde, for the petitioners.

Mr R.Morey, for R.No.5.

Mr. P.I.Khemani, for R.No.4.

CORAM : V.G.PALSHIKAR & D.B.BHOSALE, JJ.

DATE : 24.10.2005.

PC:

1. By this petition, the petitioners have challenged the show cause notice issued to the petitioner-member of the petitioner-society asking him to vacate the land in

their unauthorised possession.

2. This notice was issued in pursuance to an order passed by this Court on 11.6.2004 in Writ Petition no.2895 of 1989. The contention of the petitioners is that this order was obtained by concealment of facts. The petitioners had also taken out an application for bringing out these facts to the notice of this Court and for reconsideration of the order dated 11.6.2004. Even those proceedings terminated against the petitioner-society. In such circumstances, granting any of the reliefs to the petitioners, as prayed for, would be overriding the order made by this Court on 11.6.2004 which cannot be done by a Court of co-ordinate jurisdiction. That being the factual position, we see no reason to interfere. The writ petition is dismissed.

3. Request for continuation of an ad-interim order is rejected.

4. The civil application, accordingly, disposed of.

(D.B.BHOSALE, J.)

(V.G.PALSHIKAR, J.)